

**REMARKS**

Independent claims 1, 14, 29, 39, 51, and 62, as well as dependent claims 2-13, 16, 19-28, 30-38, 40-50, 52-61, and 63-74 were presented for examination in the present application. The instant amendment cancels claims 1-14, 16, 19-61, 64, and 74 without prejudice and adds new claims 75-80. Thus, claims 62-63, 65-73, and 75-80 remain pending for consideration upon entry of the instant amendment. Claims 62 and 75 are independent.

Independent claims 1, 29, 39, 51, and 62, as well as dependent claims 3-4, 6-11, 30-37, 40-46, 49, 52-58, 60, 63-69, and 71 were finally rejected under 35 U.S.C. §102(b) over U.S. Patent No. 5,568,399 to Sumic (Sumic). Dependent claims 12-13, 47-48, and 72-73 were rejected under 35 U.S.C. §103 over Sumic in view of U.S. Publication No. 20050251296 to Nelson et al. (Nelson). Dependent claims 27-28 were rejected under 35 U.S.C. §103 over Sumic in view of U.S. Patent No. 6,728,205 to Finn (Finn) in further view of Nelson.

Claims 1-14, 16, 19-61, 64, and 74 have been cancelled rendering the rejections to these claims moot. Reconsideration and withdrawal of the rejections to claims 1-14, 16, 19-61, 64, and 74 are respectfully requested.

Independent claim 62 now recites, in part, that “**said control processing unit operatively controls said first and second circuit breakers including instantaneous overcurrent protection**, and wherein said control processing unit causes said second circuit breaker to enter a **pickup mode as a function of said first current and said first pickup settings** when said fault is detected downstream of said first circuit breaker (emphasis added)”.

Applicants respectfully submit that Sumic does not disclose or suggest amended claim 62.

Sumic discloses a digraph 64, referring to FIG. 4A, illustrating protective devices (P1, P2, P3, et cetera). The resulting protective device schema relates to the order in which the protective devices would operate in case of a fault, and the associated backup protective device upstream from each operated protective device that may successively operate to minimize loss of overall power distribution grid integrity. Referring to FIG. 4B, Sumic discloses a data structure 66 representing the protective device schema of digraph 64 utilized in the outage determination program. In other words, by upstream tracing using data structure 66, it can be determined that the backup for protective device P7 is protective device P6, whose backup is in turn protective device P3, and so on. The protective device schema data structure 66 is dynamically maintained and updated following any changes to the distribution system functional topology during the operation of the power distribution system. See col. 6, lines 31-61.

However, Sumic clearly fails to disclose or suggest a processor that provides instantaneous overcurrent protection for multiple breakers and causes the second circuit breaker to enter a **pickup mode as now recited by claim 62.**

The Office Action fails to assert that Nelson or Finn disclose or suggest the central control processing unit of amended claim 62.

Therefore, independent claim 62, as well as claims 63 and 65-73 that depend therefrom, are believed to be in condition for allowance over Sumic alone or in combination with Nelson or Finn. Reconsideration and withdrawal of the rejection to claims 62-63 and 65-73 are respectfully requested.

Claims 75-80 have been added to point out various aspects of the present application. Support for claims 75-80 can be found in the specification at least at paragraphs [0076]-[0084]. No new matter is added.

Applicants specifically point out that claims 75-80 are not intended to be limited to the specific mechanisms of patentability previously argued with respect to any prior claims in this or any related applications. Accordingly, Applicants hereby rescind any disclaimer of claim scope and, thus, any prior art for which such a disclaimer was made to avoid may need to be revisited by the Examiner with respect to claims 75-80.

Claims 75-80 are believed to be in condition for allowance.

For example, claim 75 recites, in part, that the plurality of modules provide “digital signals to said central control processing unit over said data network based, at least in part on a synchronization instruction from said central control processing unit received over said data network, so that **said digital signals are representative of a current and a breaker state** at each of said plurality of circuit breakers within a predetermined time-window such that said central control processing performs **at least an instantaneous overcurrent protection function for said plurality of circuit breakers**”.

Further, claim 75 recites that the central control processing unit determines “a topology of said circuit **upon receipt of said breaker state**”, defines “a zone of protection for at least a portion of said plurality of circuit breakers **based upon said topology**”, and applies “a **different** zone protection algorithm to said zone of protection based on said topology and said current”.


Applicants respectfully submit that the cited art fails to disclose or suggest the combination recited by new claim 75. Thus, claim 75, as well as claims 76-80, are in condition for allowance.

In view of the above, it is respectfully submitted that the present application is in condition for allowance. Such action is solicited.

If for any reason the Examiner feels that consultation with Applicants' attorney would be helpful in the advancement of the prosecution, the Examiner is invited to call the telephone number below.

Respectfully submitted,

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